

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

**NATIONAL RIFLE ASSOCIATION OF
AMERICA,**

Plaintiff,

V.

ANDREW CUOMO, both individually and in his official capacity; MARIA T. VULLO, both individually and in her official capacity; and THE NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES,

Defendants.

**CIVIL CASE NO. 18-CV-00566-TJM-
CFH**

NOTICE OF MOTION FOR LEAVE TO FILE UNDER SEAL

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 5.2, plaintiff National Rifle Association of America (the “NRA”), by its undersigned counsel of record, hereby moves this Court for an order granting the NRA’s Motion for Leave to File Under Seal.

On July 22, 2020, this Court entered a Text Order stating that the Special Master’s Reports and Recommendations are “to be considered CONFIDENTIAL unless and until the Court otherwise orders and may not be shared or distributed beyond the parties and counsel.”¹ The NRA now files a Memorandum of Law in support of its Motion to Lift Stay and Compel Discovery which cites and describes in general terms the Special Master’s Reports and Recommendations, on pages 15-18 and footnote 8. It also attaches the Reports and Recommendations as Exhibits C and D to its Motion.

¹ ECF No. 207; ECF No. 229 (emphasis in original).

While the NRA believes, for the reasons set forth in its Memorandum of Law in Support of its Motion to Lift Stay and to Compel Discovery, that the Reports and Recommendations are not properly considered confidential and should be unsealed, and, alternatively, that the Memorandum of Law does not disclose any confidential portions of or information within those documents, it files this motion out of an abundance of caution and respect for this Court's previous orders.

The issues in this motion were discussed between the parties via email on February 21, 2023.

Dated: February 21, 2023

Respectfully submitted,

/s/ Noah Peters

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**ATTORNEYS FOR THE NATIONAL
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CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2023, I electronically filed the foregoing upon the following counsel electronically through the ECF system:

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/s/ Noah Peters